

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>RADIO MUSIC LICENSE COMMITTEE, INC., Plaintiff,</b>	: : : : : : : :	<b>CIVIL ACTION</b>
<b>v.</b>	:	<b>NO. 16-6076</b>
<b>GLOBAL MUSIC RIGHTS, LLC. Defendant.</b>	: : :	

**REPORT AND RECOMMENDATION**

**LYNNE A. SITARSKI  
UNITED STATES MAGISTRATE JUDGE**

**January 5, 2017**

Pending before this Court is Plaintiff's Motion for Preliminary Injunction Motion. (ECF No. 3). The instant matter was referred to me by the Honorable C. Darnell Jones, II to prepare a Report and Recommendation. (ECF No. 9). For the following reasons, I respectfully recommend that the motion be **DENIED as MOOT** on the grounds that Plaintiff has withdrawn the motion without prejudice. (ECF No. 38).

**I. DISCUSSION**

Plaintiff, Radio Music License Committee, Inc. originated the underlying action against Defendant Global Music Rights, with the filing of a Complaint on November 18, 2016. (ECF. No. 1). The same day, Plaintiffs filed a Motion for a Preliminary Injunction (ECF. No. 3). Plaintiff's Motion for Preliminary Injunction sought to "maintain the *status quo* and prevent defendant Global Music Rights, LLC ("GMR") from imposing unilateral and monopolistic licensing terms on RMLC's members." (*See* ECF. No. 3, p.2).

On November 23, 2016, Judge Jones referred Plaintiff's Motion for injunctive relief to this Court for a Report and Recommendation. (ECF No. 9). This Court scheduled and held four on the record telephone conferences with the parties regarding Plaintiff's Motion. (ECF Nos. 23, 29, 31, 33). During the calls, the parties reported that they were involved in discussions that could potentially obviate the need for injunctive relief (at least for the time being). The discussions apparently were successful, and on January 4, 2017, Plaintiff filed a "Notice of Withdrawal of Its Preliminary Injunction Motion Without Prejudice." (ECF No. 38).

## **II. CONCLUSION**

For the forgoing reasons, I make the following:

**RECOMMENDATION**

AND NOW this 5th day of January, 2017, it is respectfully RECOMMENDED that Plaintiff's Motion for Preliminary Injunction be DENIED as MOOT on the grounds that it has been withdrawn without prejudice.

BY THE COURT:

/s/ Lynne A. Sitarski  
LYNNE A. SITARSKI  
UNITED STATES MAGISTRATE JUDGE